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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,523	01/29/2004	Hidehito Izawa	008312-0307976	2232
909	7590	11/20/2006	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			FINDLEY, CHRISTOPHER G	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			2635	

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/766,523

Applicant(s)

IZAWA, HIDEHITO

Examiner

Christopher Findley

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: See Continuation Sheet 3/11/2005, 3/28/2006
1/29/2004
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Robbin et al. (US 20030167318 A1).

Re claim 1, Robbin discloses a recording and reproducing apparatus comprising: a connecting section configured to allow external AV equipment to be controllably connected to the recording and reproducing apparatus (Figs. 1 and 2; paragraph [0028]); a selecting section configured to select one of recording media possessed by the external AV equipment, via the connecting section (paragraphs [0028] and [0029]); and a control section configured to record or reproduce AV information, via the connecting section, on or from the recording medium selected by the selecting section (paragraph [0029]).

Re claim 2, Robbin further discloses an acquiring section configured to acquire information on the recording media possessed by the external AV equipment, via the connecting section (paragraphs [0028] and [0029]); and a menu display section

configured to display a menu allowing selection of one of the recording media possessed by the external AV equipment, on the basis of the information acquired by the acquiring section (paragraph [0029]).

Re claim 3, Robbin also discloses that the control section acquires and displays AV information from the recording medium selected by the selecting section, via the connecting section (paragraphs [0029] and [0038]).

Re claim 4, Robbin discloses that the control section causes AV information reproduced by the control section to be recorded on the recording medium selected by the selecting section, via the connecting section (paragraph [0029]).

Re claim 5, Robbin discloses that the control section acquires AV information, via the connecting section, from the recording medium selected by the selecting section (paragraph [0028]).

Re claim 6, Robbin also discloses that the control section causes AV information recorded on its recording medium to be recorded on the recording medium selected by the selecting section (paragraphs [0028] and [0029]).

Re claim 7, Robbin anticipates a recording and reproducing method comprising: selecting one of recording media possessed by externally connected AV equipment; and recording or reproducing AV information on or from the selected recording medium. See Figs 3 and 4 in addition to paragraphs [0028], [0029], and [0031].

Re claim 8, Robbin discloses the selection of one of recording media possessed by externally connected AV equipment includes: acquiring information on the recording media possessed by the external AV equipment (paragraph [0028]); and displaying a menu allowing selection of one of the recording media possessed by the external AV equipment, on the basis of the information acquired (paragraph [0029]).

Re claim 9, Robbin also discloses the recording or reproduction of AV information on or from the selected recording medium to acquire and display AV information from the selected recording medium (paragraphs [0028], [0029], and [0038]).

Re claim 10, Robbin further discloses the recording or reproduction of AV information on or from the selected recording medium to cause AV information reproduced by a recording and reproducing apparatus to be recorded on the selected recording medium (paragraphs [0028] and [0029]).

Re claim 11, Robbin also discloses the recording or reproduction of AV information on or from the selected recording medium to acquire AV information from the selected recording medium and record the AV information on the other recording medium in the recording and reproducing apparatus (paragraph [0029]).

Re claim 12, Robbin further discloses the recording or reproduction of AV information on or from the selected recording medium to cause AV information recorded on the other recording medium in the recording and reproducing apparatus to be recorded on the selected recording medium (paragraph [0028]).

Re claim 13, Robbin discloses an AV system comprising: a connecting section configured to allow alternative controllable connections of first AV equipment having a reproducing function and second AV equipment having a recording function(Figs. 1 and 2; paragraphs [0028] and [0029]); a selecting section configured to cause one of the first AV equipment and the second AV equipment to select one of recording media possessed by the other AV equipment, via the connecting section (paragraphs [0028] and [0029]); and a control section configured to record or reproduce AV information, via the connecting section, on or from the recording medium selected by the selecting section (paragraph [0029]).

Re claim 14, Robbin discloses an acquiring section configured to acquire information on the recording media possessed by the other AV equipment, via the connecting section (paragraphs [0028] and [0029]); and a menu display section configured to display a menu allowing selection of one of the recording media possessed by the other AV equipment, on the basis of the information acquired by the acquiring section (paragraph [0029]).

Re claim 15, Robbin discloses that the selecting section allows a user to select one of the recording media possessed by the second AV equipment, through the first AV equipment, and the control section reads AV information from the recording medium selected by the selecting section and transfers the AV information to the first AV equipment via the connecting section to display the AV information (paragraphs [0028], [0029], and [0038]).

Re claim 16, Robbin discloses that the selecting section allows a user to select, one of the recording media possessed by the second AV equipment, through the first AV equipment and the control section transfers AV information reproduced by the first AV equipment to the recording medium selected by the selecting section, via the connecting section to record the AV information on the recording medium (paragraphs [0028], [0029], and [0038]).

Re claim 17, Robbin discloses that the selecting section allows a user to select one of the recording media possessed by the first AV equipment, through the second AV equipment, and the control section reads AV information from the recording medium selected by the selecting section and transfers the AV information to the second AV equipment via the connecting section to record the AV information (paragraphs [0028] and [0029]).

Re claim 18, Robbin discloses that the selecting section allows a user to select one of the recording media possessed by the second AV equipment, through the first AV equipment, and the control section reads AV information from the recording medium selected by the selecting section and transfers the AV information to the first AV equipment via the connecting section to display the AV information, and causes the second AV equipment to record the AV information on the recording medium selected by the selecting section (paragraphs [0028], [0029], and [0038]).

Re claim 19, Robbin further discloses that the control section reads AV information recorded on the recording medium by the second AV equipment, the

recording medium being selected by the selecting section, and transfers the AV information to the first AV equipment via the connecting section to display the AV information (paragraphs [0028], [0029], and [0038]).

Conclusion

Robbin discloses a method for synchronizing media content between a host computer and a portable media player. In this method, the host computer and media player are connected, and the data contained within the media player and host computer is managed by the media manager software on the host computer. The physical connection -- including a peripheral cable and the inherent associated circuitry within the host computer and media player -- act as a "connecting section." The media manager software provides a user interface where the user can select items on either the host computer or portable media device and transfer the selected items from either the host computer to the portable media device or vice versa. In effect, the media manager acts as both the "selecting section" and "control section." The media manager contains the ability to browse, play, and record media data in a bi-directional manner. Therefore, the independent claims and dependent iterations of the applicant are anticipated by Robbin.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Handheld portable interactive data storage device (US 20030063196 A1)
Palatov et al.

"A portable interactive data storage device includes a disk drive, a microprocessor, a USB port, and a data storage card slot. The device also includes a small liquid crystal matrix display and a small number of user controls. The device is configured for data storage, rather than as a small general purpose computer, and preferably does not include a keyboard. The data storage card slot is configured to accept small data storage cards, such as flash memory PC cards or CompactFlash cards through a PC card adapter... Eventually, the user returns to a computer and connects the storage device to the computer through the USB port and uploads the accumulated data to the computer. The device can also be used to store data downloaded from a computer, such as digital audio in MP3 form. The data can then be incrementally transferred to a data storage card and used on a portable electronic device, such as an MP3 player."

- b. Intelligent interaction between media player and host computer
(US 20030079038 A1)

Robbin et al.

"Improved techniques for interaction between a host computer (e.g., personal computer) and a media player are disclosed. According to one aspect, interaction between a host computer and a media player, such as automatic synchronization of media contents stored on a media player with media contents stored on a host computer, can be restricted.

Art Unit: 2635

According to another aspect, management of media items residing on a media player can be performed at and by a host computer for the media player. According to still another aspect, media content can be played by a media player in accordance with quality settings established for the media content at the host computer. “


Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Findley whose telephone number is (571) 270-1199. The examiner can normally be reached on Monday-Friday 7:30am-5pm, Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2635

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LIN YE
PRIMARY EXAMINER